



Town of Fairview

PLANNING AND ZONING BOARD

Agenda

March 15, 2016 @ 6:30 p.m.

Meeting will be in the Council Meeting Room

1. Roll Call and Determination of Quorum ---*Chairman Hargett*
2. Public Comments:
3. Report on Council actions: ---*Ed Humphries*
4. Business:
 - a. Discuss amending Section 4 'Bona Fide Farms Exempt'
To determine whether a property is being used for a bona-fide Purpose --- *Ed Humphries*
 - b. Discuss number of lots connected to an easement
 - c. Discussion of first two pages of Table of Uses
 - d. Approval of Previous Minutes:
 - January 19, 2016---Regular meeting
 - February 16, 2016---Training Session meeting
5. Public Comments:
6. Adjourn

Town of Fairview

7400 Concord Highway Monroe NC 28110

BONA FIDE FARM CERTIFICATION

I certify that I have reviewed and am familiar with the requirements for what constitutes a bona fide farm under the Fairview Land Use ordinance. I certify that my parcel, tax ID(s): _____ meets these requirements to be considered a bona fide farm under the Fairview Land Use ordinance.

Applicant

Date

Section 4 Bona Fide Farms Exempt.

- (a) The provisions of this ordinance shall not apply to bona fide farms, except that:
- (1) farm property used for non-farm purposes shall not be exempt from regulation; and
 - (2) the provisions of Article XVI, Part I regulating development in floodways and floodplains, as required for participation in the National Flood Insurance Program, shall apply to bona fide farms.
- (b) For purposes of this ordinance, a bona fide farm is any tract (or tracts of land under common ownership or control) ten acres in size or greater on which a party is actively engaged in a substantial way in the commercial production or growing of crops, plants, livestock or poultry with a least one of the following:*
1. A farm sales tax exemption certificate issued by the Department of Revenue;
 2. A copy of the property tax listing showing that the property is eligible for participation in the present-use value program, pursuant to NCGS 105-277.3;
 3. A copy of the farm owner's or operator's most recent Schedule F federal income tax return;
 4. A forest management plan—according to NC Statue 105-277.2; or
 5. A farm identification number issued by the United States Department of Agriculture.

* Please attach copy of certificate to application

North Carolina Forestry Programs:

Management Plan Criteria Checklist

(Updated 5/25/12 by the Forest Management Branch of the North Carolina Forest Service)



NRCS Natural Resources
Conservation Service



The following matrix lists five of the more popular forestry programs in North Carolina, along with those programs' required management plan components and resource elements. Several notable *recommended* components/elements are also highlighted. This is meant to be a helpful quick-reference "cheat sheet" for forest management plan writers. Once a plan writer understands their landowner's short/long-term management objectives and the forestry programs they want to participate in, that plan writer could consult this matrix in order to ensure the necessary components and resource elements are addressed in that landowner's plan. Our best attempt has been made to provide an "apples to apples" comparison between the requirements of these programs. As questions arise about this matrix and the listed requirements, plan writers are encouraged to review each of the program websites/guidance documents for clarification (refer to 2nd page for corresponding weblinks).

DISCLAIMER-this matrix has been proofed by representatives from each of the listed programs and represents, to the best of our abilities, the most current and accurate information. Ultimately, however, the responsibility to ensure that a management plan contains the required components for program participation lies with each plan writer.

X = required component

*** = recommended when present/appropriate**

Programs:	NC Forest Service- Costshare Requirements	Forest Stewardship Program Standards	Tree Farm Sustainability Standards	Natural Resources Conservation Service- Forest Management Plan Criteria	North Carolina Forestry Present Use Value (PUV) Tax Program Minimum Standards
Plan Components:					
Property description, including overall present condition and general tract history	X	X	X	X	X
Specific landowner objectives	X	X	X	X	X
Stand description, including both current and desired conditions	X	X	X	X	X
Management & monitoring recommendations / prescriptions for each stand	X	X	X	X	X
Harvest & regeneration details	*	*	*		X
Schedule of recommended management activities	*	X	X	X	X
Tract map and/or photograph	X	X (Including vegetative cover types, hydrology and other significant forest-related resources)	X	X	X
Record of landowner activities		*	X	X	
GIS shapefile of tract		X			

Programs: Resource Elements to Address:	NC Forest Service- Costshare Requirements	Forest Stewardship Program Standards	Tree Farm Sustainability Standards	Natural Resources Conservation Service- Forest Management Plan Criteria	North Carolina Forestry Present Use Value (PUV) Tax Program Minimum Standards
Soil	X	X	X	X	*
Water	X	X	X	X	
Biological diversity (ex. high conservation value forests; rare species and communities)		X	X	*	
Aesthetic quality		X	*	*	
Recreation		X	*	*	
Timber	X	X	X	X	X
Fish & wildlife	*	X	*	X	
T&E species	*	X	X	X	
Forest Health (including invasive species)	*	X	X	X	*
Archeological, cultural & historic sites	*	X	X	X	
Wetlands	*	X	*	X	
Range		X			
Fire (including fuel loads and need for prescribed fire)	*	X			
Carbon		X			
Integrated pest management			X		

For additional details on each program's requirements, refer to the following websites:

North Carolina Forest Service- Costshare Requirements:	http://www.ncforestservice.gov/Managing_your_forest/pdf/ComponentsofaMgtPlan.pdf
Forest Stewardship Program Requirements:	http://www.fs.fed.us/spf/coop/library/fsp_standards&guidelines.pdf
American Tree Farm Sustainability Standards:	http://www.treefarmssystem.org/standardsforcertification
Natural Resources Conservation Service- Forest Management Plan Criteria:	http://www.nc.nrcs.usda.gov/programs/index.html
NC Forestry Present Use Value Tax Program:	http://www.ces.ncsu.edu/forestry/pdf/WON/won40.pdf http://www.dorn.com/downloads/av5.pdf http://www.dorn.com/downloads/av4.pdf http://www.dorn.com/publications/puv_guide.pdf

TAE = USES

USE	SUPPLEMENTAL REGULATION SECTION NUMBER OR ARTICLE	PARKING REQUIREMENT SECTION 291(e)	RC80	RA40	RA20	R40	R20	O	B-1	B-2	B-3	B-4	HC	B-6	LI
ABC Store	150, 179, 185	2.112	Zs	Zs	Zs	Zs									
Accessory Uses		3.11													
Accounting, Auditing, Bookkeeping Services		3.12													
Administrative or Management Services		3.12													
Adult Establishment, Hotel/Motel, Video Store, Lingerie Modeling Studio	180C, 308	3.11													
Advertising Agency	168	3.12													
Agribusiness Operations		3.2													
Agricultural Use, Class I (not exempt as a bona fide farm)															
Agricultural Use, Class I (not exempt as a bona fide farm)	175, 150(c)(8)	1	Zs	Zs	Zs	Zs									
including livestock															
Agricultural Use, Class II, (Ten acres or more)	175, 150(c)(8), 179	1	Z	Z	Z	Z									
Air Conditioning Supply & Service(See Electric, Heating Supplies/Sales)															
Airport, Helipad, Helistop															
Public/Private															
Airstrip	15.2														
Ambulance Service (See Public)	15.2														
Safety Station)															
Amphitheater	179	6.22	Z	Z	Z	Z									
Amusement Facility/Fun Park		6.23													
Animal Grooming Facility/Services (No outdoor runs)		12													
Animal Hospital, Animal Kennel, Animal Boarding Services		12													
Animal Obedience School															
(Principal Use)		12													
Animal Supply Store		2.12													
Antique Store		2.12													
Apparel Store (See Clothing, Footwear and Apparel Store)															
Appliances (Household) Store and/or Repairs		2.12													
Architect Service (See Engineering, Architect, or Survey Services)															
Art Gallery/Center	179	5.3													
Art Supply Store	179	2.12													
Auction House (excluding animals, without outside storage)		2.12													
Auction House (excluding animals, with outside storage)		2.21													
Auditorium, Stadiums, Assembly Halls, Amphitheaters, Coliseums (under 1000 seats) etc.	179	6.11													
Auditorium, Stadiums, Assembly Halls, Amphitheaters, Coliseums (1000+ seats)	179	6.13													

Z - Permitted By Right
C - Conditional Use Permit Required
D - Major Development Permit Required
s - Supplemental Regulations Apply
/ - or, (example Z/D)

NOTE: Not all districts in this table may appear on the Fairview Zoning Map

TAB - USES

USE	SUPPLEMENTAL REGULATION SECTION NUMBER OR ARTICLE	PARKING REQUIREMENT FOUNDED IN SECTION 281(e)	RC80	RA40	RA20	R40	R20	O	B-1	B-2	B-3	B-4	HC	B-6	LI
Auto, Truck, Boat, Motorcycle Sales, Service, Rental	180 I	9.1							Cs						
Automobile Body Shop	180 I, 164	9.4		C					Cs				C		Z
Automobile Broker (wholesale, with no sales lots)		3.11							Z	Z					
Automobile Club		3.11							Z	Z					
Automobile Detailing Shop		9.4		C					C						
Automobile Detailing Shop (Principal Use)	179	1							Z	Z				Zs	
Automobile Parts and Repair Shop	180 I, 164	9.4		C					Cs				C		Z
Automobile Parts and Supply Store		2.12							Z	Z			C		
Automobile Rental Company (See Auto, Truck, ... Rental)															
Automobile Service Station and Gasoline	165, 184	9.3		Cs					Cs	Cs			Cs		
Automobile Towing & Wrecking Service		2.13													Z
Automobile Wash	165	9.5		Cs						Cs			Cs		
Automobile/Motorcycle Race Track		6.25													
Bakery (Retail)		2.12							Z	Z			C		
Bakery (Wholesale)		2.13													Z
Banks, Savings and Loan, Credit Unions, Bank Teller Machines	179	3.23							Z	Z			C	Zs	
Barber Shop		2.12							Z	Z			C		
Baseball Hitting Range		6.23							Z	Z			C		
Beauty Shop		2.12							Z	Z			C		
Beauty Supply		2.12							Z	Z			C		
Store/Cosmetics Store		1.52		Cs					Zs	Zs			C		
Bed and Breakfast Inn	172	2.12		Cs					Z	Z			C		
Bicycle Sales/Service		2.12													
Billiard Parlor (revised 1/16/06)		6.11							Z				C		
Bingo Parlor (revised 1/16/06)		6.11							Z				C		
Blueprint and Drafting Service		3.11							Z	Z			C		
Boat and Trailer/Sales (See Auto, Truck, ... Sales)															
Book Store	179	2.12							Z	Z			C	Zs	
Bottling Works	179	4.12							Z				C	Zs	
Bowling Lanes		6.11													
Building Materials and Home Decorating Center		2.21							C	C			C		
Building Material and Lumber Storage and Sales		2.12							C	C			C		
Bus Charter Service Company		24													
Bus Terminal, Passenger Business Park See Office Building)		24							C				C		
Cabinet and Woodwork Shops (all operations conducted within fully enclosed building)	164	4.11		C					Z	Z			Cs		Z
Camera and Photography		2.12							Z	Z			Cs		
Supply Store		6.27													
Camping & Recreational Vehicle Park	180H, Appendix G	6.27		Cs											
Campsite, Primitive	Appendix G	6.27		Zs	Zs				Zs	Zs			Cs		Zs
Candy and Nut Store		2.12							Z	Z			Cs		
Car Wash (See Automobile Wash)															

Z - Permitted By Right
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D - Major Development Permit Required
s - Supplemental Regulations Apply
/ - or, (example Z/D)

NOTE: Not all districts in this table may appear on the Fairview Zoning Map



**Town of Fairview
Planning Board Meeting
January 19, 2016**

The following Planning Board members were present: Jesse Hargett, John Crowell, Tony Helms, Patricia Kindley, Nancy Horak Randall, and Greg Morgan

Others present: Ed Humphries, Land Use Administrator / Deputy Clerk

Public Comments

None

Reports

a) Report from Land Use Administrator – *Ed Humphries*

Bill Dustin, N-Focus will conduct the Planning Board training session on February 16th. The Council will also attend. Dinner will be provided starting at 6:00 PM.

The Council approved the Section 60 amendment.

Patricia Kindley was appointed Fairview Historian.

Items of Business

A. Elect Chairman and Vice Chairman of the Planning Board:

Chairman Hargett opened the floor for nominations for Chairman. Nancy Randall nominated Jesse Hargett. Tony Helms seconded the nomination. There were no other nominations. Board members Hargett, Crowell, Kindley, Helms, Morgan and Randall voted yes (6-0) to the nomination of Jesse Hargett as Chairman.

Chairman Hargett opened the floor for nominations for Vice Chairman. Patricia Kindley nominated John Crowell. Nancy Randall seconded the nomination. There were no other nominations. Board members Hargett, Crowell, Kindley, Helms, Morgan and Randall voted yes (6-0) to the nomination of John Crowell as Vice Chairman.

B. Discuss Process for Reviewing "Table of Uses":

Ed Humphries stated he would like the Planning Board to start reviewing/updating the Table of Uses a couple of pages each meeting. The first two pages of the Table of Uses was handed out to be discussed at the next meeting.

C. Discuss amending Section 4 "Bona Fide Farms Exempt":

Ed Humphries presented additional verbiage for consideration to Section 4 (b) along with adding the verbiage to the Town of Fairview Bona Fide Farm Certification currently being used. After discussion it was decided to add "attach copy of certification" on the application and obtain information about forest management programs to discuss during March meeting.

D. Minutes

Nancy Randall made a motion to accept the minutes of the November 17, 2015 meeting. Patricia Kindley seconded the motion. Board members Hargett, Crowell, Kindley, Helms, Morgan and Randall voted yes (6-0).

Board Comments

None

Patricia Kindley made a motion to adjourn. Greg Morgan seconded the motion. Board members Hargett, Crowell, Kindley, Helms, Morgan and Randall voted yes (6-0).

Respectfully submitted,

Ed Humphries
Deputy Clerk

Jesse Hargett
Chairman

Approved this _____ day of _____, 2015.



**Town of Fairview
Planning Board Meeting
February 16, 2016**

The following Planning Board members were present: Jesse Hargett, John Crowell, Patti Freeman, Tony Helms, Patricia Kindley, Dr. John Phifer, Nancy Horak Randall, Edwin Shaver, and Greg Morgan

Others present: Ed Humphries, Land Use Administrator/Deputy Clerk, Teresa Gregorius, Town Clerk, Joe McCollum, Attorney, and Town Council

Public Comments

None

Items of Business

A. Training Session by Bill Duston, N-Focus

Bill Duston presented an interactive PowerPoint training presentation for the Planning Board and Town Council.

Board Comments

Chairman Hargett thanked Mr. Duston for the informative presentation.

John Phifer made a motion to adjourn. Patricia Kindley seconded the motion. Board members Hargett, Crowell, Freeman, Helms, Kindley, Phifer, and Randall voted yes (7-0).

Respectfully submitted,

Teresa Gregorius
Town Clerk

Jesse Hargett
Chairman

Approved this _____ day of _____, 2016

Planning Board Meeting Attendance 1/20/15 thru Present

[illegible]

Tony Helms Appointed Board Member at May 2015 Council Meeting
Greg Morgan Appointed Alternate at August 2015 Council Meeting

F4I

**RULES OF PROCEDURE
FAIRVIEW PLANNING BOARD**

**TOWN OF FAIRVIEW
NORTH CAROLINA**

**ARTICLE I
Planning Board**

- 1-1** The official name of the Planning Board shall be the Fairview Planning Board, hereafter referred to as the Planning Board.
- 1-2** The Planning Board shall be considered a "public body" and is subject to all rules and regulations for public bodies contained in North Carolina's Open Meetings regulations.

**ARTICLE II
Objective and Purpose**

- 2-1** The primary objective of the Planning Board is to develop and maintain a continuing, cooperative planning program to benefit the people of the Town of Fairview.
- 2-2** The purposes of the Planning Board are:
- (a) To make studies of the Town and its surroundings areas;
 - (b) To determine objectives to be sought in the development of the areas under study;
 - (c) To recommend to the Town Council plans for achieving these objectives;
 - (d) To develop and recommend policies, ordinances, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner;
 - (e) To advise the Town Council concerning the use and amendment of means for carrying out plans;
 - (f) Exercise any functions in the administration and enforcement of various means for carrying out plans that the Town Council may direct;
 - (g) To keep the Town Council and the general public informed and advised as to these matters; and

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- (h) To perform any other related duties contained in the Land Use Ordinance or that the Town Council may direct.

ARTICLE III

Membership

- 3-1** Members of the Planning Board shall be appointed as provided for in Section 21 of the Town of Fairview Land Use Ordinance.
- 3-2** If a vacancy shall occur on the Planning Board by reason of death, resignation, change of residence, or any other cause, it shall be filled by Town Council appointment for the duration of the unexpired term.

ARTICLE IV

Election Of Officers

- 4-1** A Chairman and Vice-Chairman shall be elected by the Planning Board members. Each officer shall serve as set forth in Section 21 of the Town of Fairview Land Use Ordinance. Election of a Chairman and Vice-Chairman take place in accordance with Section 24 of the Town of Fairview Land Use Ordinance.
- 4-2** The Chairman shall preside at all meetings and hearings of the Planning Board, appoint all standing and temporary committees, and have the duties normally conferred on such office. The Chairman shall have the privilege of discussing all matters before the Planning Board.
- 4-3** In the event of the absence of both the Chairman and Vice-Chairman from a meeting of the Planning Board, the members present may elect a temporary Chairman for that meeting and proceed with the order of business.
- 4-4** A Secretary to the Planning Board shall be arranged by the Town Council. The Secretary shall keep a record of all business transacted at Planning Board meetings. The Planning Board minutes shall be of public record and shall be kept on file at the Old Fairview Elementary School by the Town Clerk and available for inspection upon request.

ARTICLE V
Meetings

- 5-1** Regular meetings of the Planning Board shall be held on the Third Tuesday of each month at 6:30 P.M. in the Old Fairview Elementary School. Each member shall be notified by mail of each regular meeting by the Secretary.

Whenever there is no business to come before the Planning Board, or whenever so many members notify the Secretary or the Chairman of their inability to attend that a quorum will not be available, the Chairman may dispense with a regular meeting. In such cases, the Chairman, or other person so designated by the Chairman will endeavor to notify Planning Board members of all meeting cancellations.

- 5-2** Special meetings may be called only by the Chairman, provided that at least forty-eight (48) hours notice of time of such meeting shall be given to each member by the Secretary and all applicable open meeting law notification requirements are met. This notice shall be sufficient unless a longer time period would be needed due to Planning Board notification requirements.

- 5-3** Four (4) members of the Planning Board shall constitute a quorum. A quorum shall be present before any business is transacted.

- 5-4** All regular and special meetings of the Planning Board shall be open to the public. Public notice of all regular meetings shall be made by posting a Planning Board agenda in a conspicuous location accessible to the general public at the Old Fairview Elementary School at least three (3) days prior to the meeting. The notice shall remain posted until the meeting has been concluded.

- 5-5** Members of the Planning Board shall not commit themselves on any question scheduled to be considered, prior to the consideration of the matter at a duly authorized meeting. Planning Board members may, however, discuss any case with any parties thereto prior to the meeting at which that case is to be reviewed for fact gathering purposes only. Further, Planning Board members may receive and/or seek information pertaining to the case from any other Planning Board member, the Secretary, the Town Clerk, or the Land Use Administrator prior to said Planning Board meeting.

ARTICLE VI
Attendance

- 6-1** In order for the Planning Board to carry out its duties and responsibilities, it is necessary for all members to regularly attend meetings. Any Planning Board member may be removed by the Town Council for failure to attend meetings as provided for in Section 21 of the Town of Fairview Land Use Ordinance.

ARTICLE VII
Order Of Business

- 7-1** The order of business at regular meetings shall be as follows:

- (a) Roll Call and Determination of Quorum
- (b) Approval of Previous Minutes
- (c) Public Comment
- (d) Committee Reports
- (e) Old Business
- (f) New Business
- (g) Adjournment

The Chairman shall have the authority to amend the order of business at any meeting.

- 7-2** Items of business at the regular meeting shall appear on the agenda. All items on the agenda shall have been presented to the Secretary at least ten (10) days prior to the regular meeting. Items not appearing on the agenda or submitted to the Secretary within ten (10) days of the regular meeting may only be considered for addition to the agenda by a unanimous vote of the Planning Board members present.

ARTICLE VIII
Conflict Of Interest

- 8-1** No member of the Planning Board shall seek to influence a decision, participate in any action or cast a vote involving any matter that is before the Planning Board, which may result in a private benefit to themselves, their immediate relatives or their business interest. A member may be excused from voting on a particular issue as set forth in Section 23 of the Fairview Land Use Ordinance.
- 8-2** Withdrawal from participation in any matter is necessary only in those specific cases in which a conflict arises. There shall be no attempt to exclude entire categories of considerations because of the business or profession with which a member is associated.

ARTICLE IX
Action By Board

- 9-1** All actions of the Planning Board shall have been put before the Planning Board members in the form of a motion, duly seconded, and voted upon by all unexcused members present for a quorum.
- 9-2** The chairman may take part in all deliberations and vote on all issues. Only non-excused members present at the time a hearing is held and a vote is taken shall be eligible to vote.
- 9-3** It is the duty of all Planning Board members present at a meeting to vote on all issues coming before the Planning Board unless such member has been specifically excused from voting on an issue. Any non-excused member who abstains from voting shall be counted as having cast a "yea" vote.

ARTICLE X
Adoption and Amendment

10-1 These rules of procedure may be adopted by a majority vote of the Planning Board membership.

10-2 These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of a majority of the voting members of the Planning Board, provided that such amendment be presented in writing at a regular or special meeting preceding the meeting at which the vote is taken.

December 16, 2004
ADOPTED

CHAIRMAN

SECRETARY

Amended

1. September 30, 2008
- 2.
- 3.